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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,174	03/17/2004	Li Huiquan	HUAHE-0005	3844

7590 08/25/2005
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EXAMINER

JACKSON, ANDRE L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/802,174

Applicant(s)

HUIQUAN, LI

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claims 1-6 are objected to because of the following informalities:

Claim 1-6 are replete with numerous grammatical and claim usage errors; in particular, the phrase “the said” is incorrectly used throughout the claims. In claim 2, change “equals” to --equal --.

Claims 1-6 recite several limitations “the rotatable arms”, “the hinges”, “the side wall”, “the inner edge”, “the hinge point”, “the lower housing scaleboard” to name a few examples throughout the claims. There is insufficient antecedent basis for these limitations in the claims.

Further, in claim 1, it is unclear if “a movable locking plate” in line 7 is similar or different from a latter recitation of “the locking plate” in line 8; or if “hinge plates” recited in line 4 is similar or different from previously stated “an upper housing hinge plate” and “a lower housing hinge plate”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6487963 to Wu. Wu discloses a grill device comprising a lower housing (3), an upper housing (4), a button (323), an upper housing hinge plate (412), a lower housing hinge plate (312), and a locking plate (52); wherein the lower housing and the upper housing are interconnected by the upper and lower housing hinge plates respectively; wherein the structure of the upper and lower hinge plates between the lower housing and the upper housing is as follows: the upper housing hinge plate is attached on the upper housing and interconnected with the lower housing hinge plate; the locking plate is movable and is attached on the lower housing to lock rotatable arms (433) of the upper housing hinge plate, the locking plate is linked with the button through a side wall of the lower housing; and the button has resetting springs (512).

As to claims 2, 3 and 5, an upper side of the locking plate is joined at a lower edge of the upper housing hinge plate, which covers left and right sides of a projection of a hinge point (332, 433) as a distance between the hinge point and an edge to the upper housing hinge plate is equal in distance from the hinge point to an inner edge perpendicular to the lower edge of the upper housing hinge plate as seen in Fig. 3.

As to claim 4, ends of the locking plate have convex portions (522) at respective hinge points, while a seat (332) at a lower edge of the upper housing hinge plate has a concave space

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(333) matching the convex portion of the locking plate and equal in distances from the hinge point at a lower and upper edge as seen in Figs. 4B and 5.

As to claim 6, the grill device includes upper and lower electro-thermal heating surfaces (42, 32), a control knob and supports at a bottom surface of the lower housing and a top surface of the upper housing as seen in Fig. 2.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Specifically, Hirose and Shyu et al disclose operating mechanisms including an actuator to abut or restrict movement of a cover or lid. These references may be used singly or in combination with the prior art of record to meet the limitations of applicant's claims as presented.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (9:30 am - 6 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


ROBERT J. SANDY
PRIMARY EXAMINER